

**Notice of Allowability**

Application No.

10/566,287

Examiner

Ryan J. Johnson

Applicant(s)

OHSHIMA ET AL.

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the preliminary amendment filed 27 January 2006.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |                                                                                                                                       |                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                           | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>1/27/06, 12/18/06</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                            | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|                                                                                                                                       | 9. <input type="checkbox"/> Other _____.                                               |

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Androlia on June 28<sup>th</sup>, 2007.

The application has been amended as follows:

On page 13 of the specification, replace  
"DISCLOSURE OF THE INVENTION  
PROBLEMS TO BE SOLVING BY THIS INVENTION"  
with "SUMMARY OF THE INVENTION".

On page 17 of the specification, remove  
"MEANS FOR SOLVING THE PROBLEMS".

On page 21 of the specification, remove  
"EFFECT OF THE INVENTION".

On pages 33-35 of the specification, move "BRIEF DESCRIPTION OF THE DRAWINGS" and paragraph [0041] beginning with "FIG. 1 is a structure..." and ending with "...utilizing MOS capacitance characteristics." to page 22 of the specification following the line reading "applied voltage range with time in the external control circuit".

On page 22 of the specification, replace  
"BEST MODE FOR CARRYING OUT THE INVENTION"

with "DESCRIPTION OF THE PREFERRED EMBODIMENTS".

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Figures 12-25 should be designated by a legend such as -- Prior Art-- because only that which is old is illustrated. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

3. The following is an examiner's statement of reasons for allowance: A combination of the following limitations, in the context of each claim, could not be found in prior art: "the MOS capacitance element is a channel transistor of a second conductivity type formed in a well region of a first conductivity type, the second conductivity type being opposite to the first conductivity type" and "a bias voltage is supplied between ... an extraction electrode ... formed in the source and drain regions ... and an extraction electrode ... formed in the well region".

4. The information disclosure statement filed January 27<sup>th</sup>, 2006 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. A copy of the NPL document by Satoshi Yamamoto et al. has not been received. It has been placed in the application file, but the information referred to therein has not been considered.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ishikawa et al. (U.S. Patent No. 6,734,747), Kamiya et al. (U.S.

Patent No. 6,320,474), and Kitamura et al. (U.S. Publication No. 2004/0056725) disclose oscillator circuits with similar MOSFET semiconductor capacitance structures.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

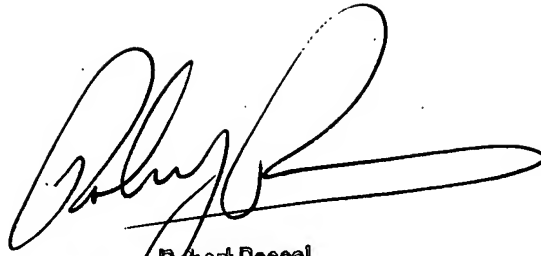
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan J. Johnson whose telephone number is 571-270-1264. The examiner can normally be reached on Monday - Thursday, 9:00 am - 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/RJJ/

A handwritten signature in black ink, appearing to read 'Robert Pascal', with a long horizontal flourish extending to the right.

Robert Pascal  
Supervisory Patent Examiner  
Technology Center 2800